

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number: 10/706,643

Confirmation Number: 7023

Applicant: Timothy Patrick Kelliher et al.

Filed: November 12, 2003

Group Art Unit: 3687

Examiner: Ashford S. Hayles

Docket Number: 133690-1

For: MONITORING SYSTEM AND METHOD BASED ON INFORMATION  
PRIOR TO THE POINT OF SALE

**AMENDMENT AND RESPONSE TO OFFICE ACTION DATED MAY 22, 2008**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Office Action dated May 22, 2008, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.

**Remarks** begin on page 4 of this paper.